

Negotiating for the Environment: LBJ's Contributions to the Environmental Movement

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Lady Bird Johnson plants pansies to beautify Washington, DC, as Stewart Udall watches.

The history of environmental thought in the United States reveals a constantly evolving debate over the roles of both the federal government and citizens concerning natural resources. Nineteenth-century artists and writers romanticized wild, untouched, and dramatic landscapes far from human settlement and urban decay. Henry David Thoreau and John Muir brought the drama and beauty of nature to the forefront for public appreciation, advocating preservation of nature through their writings and activism. Early 20th-century proponents of conservation, such as Gifford Pinchot and John Wesley Powell, sought protection of the land with wise and multiple uses of natural resources for human benefit. Emergence of the term “environmentalism” in the 1970s reflected recognition of a degrading environment, limited natural resources, and human failings as stew-

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ards of the planet.¹ The roots of that new environmental perspective lay in the Lyndon B. Johnson administration's program to promote participatory efforts to beautify, protect, and harness the environment for human welfare. Johnson's ideas for remediation of the harmful effects of postwar society foreshadowed the environmentalists' priorities.

Environmental historian Martin V. Melosi refers to the Johnson administration as “a transitional force in the evolution from old-style conservation to modern environmentalism.” This article presents evidence in support of Melosi's statement by showing that the Johnson presidency, typically associated with civil rights, the War on Poverty, and the Vietnam conflict, also created an environmental legacy. In addition to a record number of federal laws directed at protection of natural resources, Johnson's rhetoric and actions set the stage for American environmentalism. He, along with Lady Bird Johnson, initiated new conversations and approaches for natural resource protection and shaped environmental advocacy for the nation. In the process, Johnson generated an enduring conviction that environmentalism and individualism—the individual's claimed freedoms and property rights—could thrive hand-in-hand.²

This article explores two legislative campaigns during the Johnson administration—urban beautification and protection of wild and scenic rivers—that exemplified the president's stance on natural resource conservation. These campaigns demonstrated the priorities of environmental “restoration,” cleanup, and stewardship later adopted by the environmental movement. By generating public participation in environmental programs and fiercely negotiating the possible outcomes, Johnson's approach and recommended strategies prefigured the work of environmental activists.

¹ Michael Grossman, *The ABC-CLIO Companion to the Environmental Movement* (Santa Barbara, CA: ABC-CLIO, Inc., 1994), 60–63; Steven Stoll, *U.S. Environmentalism since 1945: A Brief History with Documents*, The Bedford Series in History and Culture (New York: Palgrave MacMillan, 2007), 1–4; and Thomas R. Wellock, *Preserving the Nation: The Conservation and Environmental Movements, 1870-2000*, The American History Series, eds. John Hope Franklin and A.S. Eisenstadt (Wheeling, IL: Harlan Davidson, 2007), 157.

² Martin V. Melosi, “Lyndon Johnson and Environmental Policy,” in *The Johnson Years, Volume Two: Vietnam, the Environment, and Science*, ed. Robert A. Divine (Lawrence: University Press of Kansas, 1987), 117. In addition to those discussed in this article, laws relating to the environment signed by Johnson include the Clean Air Act (PL 88-206), Pesticide Control Act (PL 88-305), Wilderness Act (PL 88-577), Land and Water Conservation Fund Act (PL 88-578), Fire Island National Seashore (PL 88-587), Canyonlands National Park Act (PL 88-590), Water Resources Planning Act (PL 89-80), Water Quality Act (PL 89-234), Solid Waste Disposal Act (PL 89-272), Water Pollution Control Act (PL 89-753), Guadalupe Mountains National Park Act (PL 89-667), Endangered Species Act (PL 89-669), Indiana Dunes National Lakeshore Act (PL 89-761), San Gabriel Wilderness Act (PL 90-318), and Great Swamp Wilderness Area Act (PL 90-532).

Roots of Lyndon Johnson's "New Conservation"

Johnson became president before the term "environmentalism" had entered the common lexicon. He supported the ideas of preservationists and conservationists who preceded him, he empathized with constituents who sought protection of natural resources, and he voiced his appreciation for the importance of natural beauty in the lives of Americans. At the same time, he believed in the traditional American ethos of individualism that staunchly supported each citizen's independence and right to use and develop his or her own property in pursuit of economic prosperity.

Concluding his State of the Union address on January 4, 1965, Johnson inspired his listeners through poetic imagery. Emphasizing the importance of nature in his agenda, he proclaimed that "for over three centuries, the beauty of America has sustained our spirit and enlarged our vision," and he called for immediate action "to protect this heritage." Simultaneously, Johnson also believed that nature could be a threat to man. He noted that the floods that plagued the Pedernales River Valley of his childhood were gone, thanks to the men who "worked and . . . endured and . . . built" in "that once forbidding land," motivated by their "dream of a place where a free man could build for himself, and raise his children to a better life—a dream of a continent to be conquered, a world to be won, a nation to be made."³ Johnson's phrases reflected his appreciation of nature and continued faith in the power of human ingenuity and initiative to create a more comfortable and less threatening environment.

Johnson admittedly idolized the conservation work of former presidents Theodore Roosevelt and Franklin D. Roosevelt and set a personal goal of accomplishing more than they had to preserve the nation's natural beauty. He outlined three changing forces that he believed brought a "new era to conservation": growing population, the triumph of technology, and urbanization. He explained that the new conservation "is not just the classic conservation of protection and development, but it is a creative conservation of restoration and innovation." The concepts of conservation needed to change, in Johnson's opinion, from not only protection of "man's welfare, but the dignity of his spirit" as well, and "above all, we must maintain the chance for contact with beauty."⁴

³ Lyndon B. Johnson, "Annual Message to the Congress on the State of the Union," Jan. 4, 1965, online by Gerhard Peters and John T. Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/?pid=26907> (accessed Feb. 2, 2013).

⁴ Lyndon B. Johnson, "Remarks on Conservation at a Breakfast in Portland Saluting the Northwest-Southwest Power Transmission Intertie," Sept. 17, 1964, online by Peters and Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/?pid=26507> (accessed June 24, 2014).

This conflation of past ideologies—both conservation and preservation—was up for discussion at mid-century. Earlier, the two perspectives stood in opposition: preservationists supported strict protection of natural resources from humans (as seen in the movement to save wilderness areas), and conservationists believed in the possibility of efficient and multiple uses of natural resources to the benefit of humans. This divide culminated in a courtroom battle between two prominent early 20th-century figures: John Muir, cofounder and president of the Sierra Club from 1892 until his death in 1914, and Gifford Pinchot, the chief of the U.S. Forest Service from 1905 to 1910. They debated, along with citizens nationwide, the issue of whether the Hetch-Hetchy Valley in Yosemite National Park should be flooded in order to provide hydropower to the growing city of San Francisco. Muir and his followers advocated for the preservation of wild places—as sanctuaries to be maintained in their own right—and opposed flooding the valley. Gifford wholeheartedly disagreed with Muir’s position, instead believing that natural resources should be conserved and maintained for man’s use. The preservationists lost the case. “By focusing almost entirely on the benefits of wild places,” environmental historian Philip V. Scarpino explains, “the preservationists gave away the economic, technical, and utilitarian issues to their opponents,” and “by emphasizing the depravity of commercialism, they lost votes of congressmen who did not see the problem in terms of good versus



President Lyndon B. Johnson signs 1967 Clean Air Act.

evil.”⁵ Conservationists further believed that humans needed protection from the unpredictable forces of nature, and that through human know-how, the power of nature could be controlled and used efficiently.

Johnson’s introduction of what he called “new conservation” reflected his support of continued use of natural resources for a growing society and economy—to build dams to stockpile excess rain or to apply scientific management to lessen the effects of pollution—while at the same time preserving designated areas as sources of inspiration for mankind. By the 1970s, under the term “environmentalism,” activists criticized conservationists’ ideas, seeking to drastically rein in the human impact on natural resources. As with conservationists, environmentalists’ proposals for change included improved technology, science, and legislation. Environmentalists differed, however, by rejecting the goal of indiscriminate use of natural resources for economic advancement and focusing instead on educating the public and government officials on the failures of humans as stewards of the planet. They sought to change American values and beliefs concerning natural resources and to clean up and restore the environment. According to historian Steven Stoll, values “central to environmentalism” such as “biological diversity, natural beauty, and sustainability . . . came to represent an alternative vision of economics and the human good.”⁶

A Campaign for Beauty

Johnson assumed the presidency in November 1963, bringing with him a unique perspective on how to preserve natural resources. He was guided by lessons in local politics learned from his father, a penchant for negotiating, and an appreciation for nature cultivated by his wife, Lady Bird, and Secretary of the Interior Stewart Udall, among others.

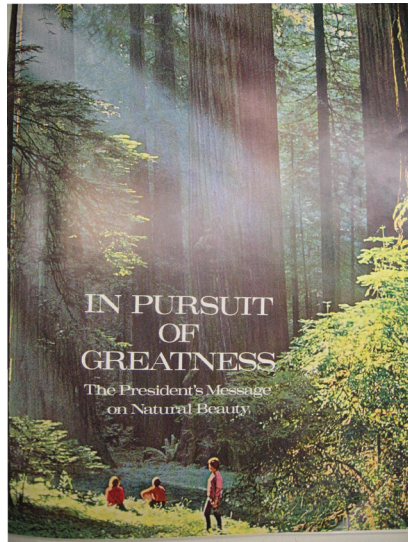
Johnson’s Task Force on the Preservation of Natural Beauty was just one of the special commissions appointed to oversee his plans for a Great Society. As with all of Johnson’s task forces, the group’s appointed members included representatives from the academic and professional communities and from appropriate government agencies. Charles Haar, a Harvard Law School professor, known for introducing land-use law to his students, for his advocacy of government regulation of urban development, and for his successful court battle to help clean up Boston Harbor, served as chairman. Jane Jacobs, an urban activist known for her critiques of 20th-century planning and suggestions for more diversity and density, and philanthropist and conservationist Laurance

⁵ Philip V. Scarpino, *Great River: An Environmental History of the Upper Mississippi, 1890–1950* (Columbia: University of Missouri Press, 1985), 141–43.

⁶ Stoll, *U.S. Environmentalism since 1945*, 4.

S. Rockefeller were among its members, with Richard Goodwin serving as the White House liaison. The task force submitted its written report to Johnson on November 18, 1964, with an explanation that its members had tried to offer recommendations that could be made “operational” without requiring “any great departures from traditional bipartisan policies.”⁷ The task force’s underlying recommendation was for the federal government to refocus and readjust existing programs to bring natural beauty to the foreground. The members promoted beauty not only in the nation’s countryside and parks but also in city parks, riverfronts, older residential neighborhoods, and highways. Only government assistance, they believed, could give Americans the means to overcome blight and restore beauty. They noted that the federal government had already passed legislation to provide funding, such as federal grant programs and the Land and Water Conservation Fund, and established agencies, such as the Housing and Home Finance Agency and the Bureau of Outdoor Recreation, designed to effectuate this goal. Many of the mechanisms needed to achieve the task force recommendations were in place, yet natural beauty was not receiving the direct attention needed where people lived—in the cities.⁸

Comparing the beauty of the environment to the defense of the nation, the task force noted that the costs of defense applied to all citizens: “everyone benefits,” and “services of this sort must be paid for by government because they cannot be financed under any system of commercial pricing, but only from general tax revenues.” Likewise, “the American citizen cannot remedy pollution by himself. He may beautify his home, he may tend his own garden; but he cannot control the other side of the street.”⁹ In arguing for federal efforts—including laws, agencies, tax incentives, grants, and education—to promote natural beauty, the task force members claimed that “beauty contributes to



The Johnson administration’s glossy 34-page brochure, mailed in August 1965 to local, state, and federal officials, emphasized the need for beautification.

⁷ Charles Haar to Lyndon Johnson, Nov. 17, 1964, WHCF Ex Task Force Reports, box 2, 1964 Task Force on the Preservation of Natural Beauty (hereinafter WHCF-TFR), Lyndon B. Johnson Presidential Library and Museum (LBJL).

⁸ “Report of the Task Force on the Preservation of Natural Beauty,” Nov. 18, 1964, WHCF-TFR.

⁹ *Ibid.*, 37.

the real national income” through “psychic income, even though statisticians do not know how to quantify it.” They further noted that “beauty fosters safety,” that it “is a component of mental well-being,” and that it “can be a weapon in the fight against poverty.”¹⁰

Johnson agreed. In a speech delivered on February 8, 1965, he reminded Congress that “for centuries, Americans have drawn strength and inspiration from the beauty of our country.” He noted that the majority of Americans now lived in urban areas and were more and more cut off from nature. In addition to protecting the countryside, he called for action to “salvage the beauty and charm of our cities” and to protect “the dignity of man’s spirit.”¹¹

Lady Bird also embraced the cause of beautification, though she struggled to adjust to the term itself, which she feared would signify superficial efforts to clean up the nation’s countryside, highways, and cities. She envisioned a deeper and more meaningful approach that might bring long-lasting changes to the hearts and lives of Americans—an attention to quality of life that could be passed on to future generations. She recognized the complexity of beautification efforts and noted that the subject was “like picking up a tangled skein of wool—all the threads are interwoven—recreation and pollution and mental health, and the crime rate, and rapid transit, and highway beautification, and the war on poverty, and parks—national, state, and local.”¹² Lady Bird and her staff searched for another term to describe their goals, but without the quick discovery of a better descriptor, the term stuck.



Lady Bird accepts a commemorative pen at the Highway Beautification Act signing.

¹⁰ *Ibid.*, 37–38.

¹¹ Lyndon B. Johnson, “Special Message to the Congress on Conservation and Restoration of Natural Beauty,” Feb. 8, 1965, <http://www.lbjlibrary.net/collections/selected-speeches/1965/02-08-1965.html> (accessed Jan. 13, 2013).

¹² Claudia T. Johnson, *Lady Bird Johnson: A White House Diary* (New York: Holt, Rinehart and Winston, 1970), 234; and Mark K. Updegrave, *Indomitable Will: LBJ in the Presidency* (New York: Crown Publishers, 2012), 163.

Johnson announced on March 12, 1965, that he would hold a two-day conference in Washington, DC, in May to discuss “concrete, immediate means for the preservation of natural beauty through Federal, State, local, and private action.” Such a conference had been among the task force recommendations. It had received an additional personal endorsement from conservationist Laurance S. Rockefeller, who met with Johnson the evening prior to his announcement, and from Secretary of the Interior Stewart Udall, who after reviewing the task force report ranked the conference as a top priority for the president. This conference would help fulfill an important component of the task force recommendations: encouragement of private efforts and education of the public on the need for natural beauty.¹³

Johnson received letters from across the country in support of a beautification campaign. Indiana Senator Vance Hartke wrote to advise the president of a conference he had organized to boost recreation and tourism. Johnson responded to Hartke’s letter, commending his actions and noting that the “development of riches and beauty of America has a priority rating with this Administration,” but that “to be successful, we must have a working relationship with every community and state and with every American.”¹⁴

Newspaper editorials praised the president’s and Lady Bird’s efforts. In a picture editorial published on April 20, 1965, South Carolina’s *News and Courier* highlighted the blight of roadside billboards blocking scenic views from visitors to historic Charleston. Editor T. R. Waring mailed a copy to Johnson and commended the president on his “interest in promoting beauty and eliminating ugliness.” Waring further noted that “we have been making such a campaign for years in one way or another. Now may be a propitious time, with national attention focused on the subject by the President, to press forward in Charleston.”¹⁵

An editorial by James M. Perry in *The National Observer* on March 1, 1965, “Natural Beauty is a Political Natural,” called the phenomenon “a converging of circumstances.” Not only did Johnson have a “deep and genuine concern for the physical appearance of the nation,” the nation had a problem that needed addressing, and citizens, as well as lawmakers, were ready to hear the message. Perry noted that the influence of Lady Bird’s “rebellion against ugliness” should not be underestimated, and he also complimented Johnson and Udall on their political shrewdness.

¹³ Lyndon B. Johnson, “Special Message,” Feb. 8, 1965; and Executive Branch Comments on “Report of the Task Force on the Preservation of Natural Beauty,” Nov. 18, 1964, WHCF-TFR.

¹⁴ Johnson to Senator Vance Hartke, Apr. 8, 1965, WHCF Ex NR (11/22/63), box 1, LBJL.

¹⁵ T. A. Waring to Johnson, Apr. 20, 1965, in *ibid.*

Although this campaign for beauty felt and looked, to some skeptics, like political maneuvering, it also met a growing public concern for the fate of the American landscape. Johnson used the White House Conference on Natural Beauty to generate and support partnerships among federal, state, and local governments, public and private organizations, and government officials and citizens. The conference brought representatives from all of these groups to the nation's capital to talk about restoring and protecting America's beauty.

The conference followed the success of the 88th Congress, which had passed an unprecedented number of laws dealing specifically with beautification and conservation measures, and occurred as more legislation proposed to the 89th Congress was expected to advance the cause. One bill pending approval sought to establish the Assateague Island National Seashore in Maryland and Virginia, which would set aside a recreational retreat close to the nation's capital and residents of populous eastern cities. Another sought approval of a Sleeping Bear Dunes National Lakeshore along the shores of Lake Michigan, which would provide a retreat "within an easy day's drive for 50 million Americans."¹⁶ If passed, the Highway Beautification Bill, which enjoyed Lady Bird's personal support, would restrict the ability of private enterprise to clutter the nation's landscape with unsightly billboards. This progress in support of beautification surely bolstered the expectations of conference attendees that their recommendations could be realized.

After the conference, Johnson requested publication of a brochure summarizing the recommendations of the various panels. In August 1965, his staff mailed thousands of these brochures with a cover letter addressed to local, state, and national officials to remind them of the important work accomplished at the conference and request their assistance in continuing the progress made in those two days. "The quality of our Nation's achievement will depend upon the conscientious action of leaders like yourself," Johnson wrote, "in providing for a better and more beautiful America."¹⁷

The conference brochure prompted responses from local officials, many of whom proudly described work already accomplished in their cities and states. Gov. Roger D. Branigan wrote that "Indiana's representatives to the conference were enthusiastic and

¹⁶ Jerome P. Cavanaugh (Mayor of Detroit) to Johnson, Mar. 25, 1964, WHCF Ex LE/PA 3 (11/22/63-3/31/64), box 146, LBJL. The establishment of Sleeping Bear Dunes National Lakeshore was not approved until 1973 due in part due to controversies over private land acquisition.

¹⁷ Letters from Johnson, WHCF Ex NR, boxes 1-4, LBJL.

felt they gained many new ideas.”¹⁸ Gov. George Romney represented that “we in Michigan feel the same responsibilities and urgency concerning the protection and preservation of our heritage of natural beauty which you express,” and noted that he had called for a Governor’s Conference to be held in October 1965 to bring together government officials and private individuals to stimulate interest and establish a plan of action.¹⁹ Mayor Frank Somers of Dayton, Ohio, called it “an excellent report,” and reported that “I am passing this on to the Chairman of our City Beautiful Commission.”²⁰

Urban beautification was not a new concept, and this new campaign shared some of the same concerns and ideas introduced during the City Beautiful movement of the early 20th century. Urban historian William H. Wilson argues that members of the City Beautiful movement were optimists who looked to transform a city’s aesthetic and functional shortcomings by imposing a rational system upon its landscape. City planners and architects of the time “linked natural beauty, naturalistic constructivism, and classicism.”²¹

The movement did not reach its lofty goals, and the next generations of city planners abandoned its agenda. Jane Jacobs, writing in 1961, considered the movement “irrelevant to the workings of cities,” and accused its followers of forming “architectural design cults instead of cults of social reform.”²² Although monuments of the City Beautiful movement continued to grace the landscapes of cities around the nation, its elaborate civic buildings, parks, and parkways had by the 1960s faded into the background, no longer presenting themselves as the focus of urban improvements.

Instead, the conceived beautification campaign of midcentury reflected the lessons of intervening years. Two world wars, rapid technological advances, and radical cultural changes—alongside increasing crime rates, pollution, juvenile delinquency, poverty, riots, excessive consumption, and trash—all caught the nation’s attention. With new economic security in the postwar era came a reassessment of values, and Johnson’s Great Society programs provided an overarching solution: improving quality of life. For Lyndon and Lady Bird, enjoyment of natural beauty offered a clear path for improving quality of life.

¹⁸ Roger D. Branigan to Johnson, Aug. 13, 1965, WHCF Ex NR 8/13/65, box 2, LBJL.

¹⁹ George Romney to Johnson, Aug. 31, 1965, WHCF Ex NR 8/25/65, box 4, LBJL.

²⁰ Frank Somers to Johnson, Aug. 31, 1965, in *ibid.*

²¹ William H. Wilson, *The City Beautiful Movement* (Baltimore: Johns Hopkins University Press, 1989), 4, 78–86, and 305.

²² Jane Jacobs, *The Death and Life of Great American Cities* (1961; repr., New York: Modern Library, 1993), 34, 488.

The earlier City Beautiful movement attempted to recapture civility and combat urban disorganization attributed to industrialization, immigration, and rapid growth. The new campaign focused on restoring the beauty of the non-human environment—not creating a built environment—in order to restore human quality of life. It would also require a community effort, not just the collaboration of an elite few. The Johnsons hoped to spread the word and generate a national move in that direction.

Johnson's beautification campaign contained a strong element of social reform. Certainly the language used by the designers of associated legislation and programs indicated a desire to restore the spirits of the nation. Specifically placing responsibility for beautification with every level of government and in private hands also aimed to create a sense of ownership and pride for everyone participating. Beautification included an added benefit of bolstering the political goals of elected officials—the time was right to take up a campaign that would address the concerns of citizens in cities across the country.²³

After much compromise between the House and Senate and persuasion from Johnson, the Highway Beautification Act (PL 89-285) passed with a vote of 245 to 138. The story of this law's enactment caught the attention of newspaper reporters and later Johnson biographers as it represented the epitome of Johnson's tenacious negotiating skills. He especially wanted the bill to pass to please Lady Bird. With the close of the 89th Congress drawing near, he called his cabinet members together at 3:30 in the afternoon of October 7 and announced, "if she wants it, I want it, and by God, we're going to pass it!" The *Washington Post* reported on October 9, 1965, that congressional wives, drivers, and reporters waited at a Salute-to-Congress celebration and White House reception, scheduled to begin at 7 p.m., while contentious negotiations continued until House and Senate members reached a favorable compromise at 1 o'clock in the morning of October 8. The approved act placed restrictions on highway billboard advertising and roadside junkyards to preserve the natural landscape. At the signing ceremony on October 22, 1965, Johnson noted, "we have placed a wall of civilization between us and between the beauty of our land and of our countryside," and while "this administration has no desire to punish or to penalize

²³ See Frances Fox Piven and Richard A. Cloward, "The Politics of the Great Society," in *The Great Society and the High Tide of Liberalism*, eds. Sidney M. Milkis and Jerome M. Mileur (Amherst: University of Massachusetts Press, 2005), 253–69. Piven and Cloward argue that whatever their legislative titles and rhetorical statements of purpose, the Great Society programs were an effort to cope with problems set off by demographic upheaval by incorporating the black newcomers into urban politics.

any private industry, . . . we are not going to allow them to intrude their own specialized private objective on the larger public trust.”²⁴

In June 1966, the Johnsons and Washington, DC, hosted another conference on the topic of beautification: the National Youth Conference on Natural Beauty and Conservation. Some 500 delegates attended the conference from national youth organizations, including the Boy Scouts of America, Girl Scouts of the U.S.A., 4-H Clubs, Future Farmers of America, Future Homemakers of America, and Young Men’s and Young Women’s Christian Associations. Reiterating Lady Bird’s opening statements, Johnson reminded the attendees that “you are going to determine if this is a beautiful land or not,” and “you’re going to translate the dreams and the talk of today into action of tomorrow.”²⁵

Johnson recognized that the time was right. Calling for conferences that would involve officials and youth groups across the nation, requesting publication of a brochure to reiterate conference discussions, mailing letters from the president, and pushing for passage of beautification laws were concerted efforts to reach out and promote this cause important to him and Lady Bird. Not only did the campaign for beauty equate to positive political support for Johnson, it disseminated much-needed information about the environment to the public and government officials, provided a show of national support and unity, and spurred conversation and action at the local level. The beautification campaign provided a model and instilled an ideology for future grassroots efforts to save the environment.

The Wild and Scenic Rivers Act

In keeping with his broader Great Society plans, Johnson also supported and signed into law the Wild and Scenic Rivers Act (PL 90-542) on October 2, 1968. The House of Representatives Committee on Interior and Insular Affairs had previously considered 16 different bills introduced in either the House or the Senate to establish a national scenic rivers system. After consideration of the proposals, the committee published a report on July 3, 1968, summarizing its findings, the comments received, and its recommendation for approval by Congress. It had been a

²⁴ Updegrave, quoting interview with Bob Hardesty, in *Indomitable Will*, 165–66; Lyndon B. Johnson, “Remarks at the Signing of the Highway Beautification Act of 1965,” Oct. 22, 1965, online by Peters and Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/?pid=27325> (accessed July 5, 2016).

²⁵ Lyndon B. Johnson, “Remarks to Delegates to the National Youth Conference on Natural Beauty and Conservation,” June 27, 1966, online by Peters and Woolley, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/?pid=27676> (accessed July 5, 2016).

long road to reach the point when the federal government would formally protect certain rivers for what the U.S. Department of the Army called their “intangible” value. The committee noted that the federal government had been involved in all other aspects of river management, from transportation to flood control to pollution, and passage of this bill would fill a gap in river programs.

Ideas for such a program began to enter federal political conversations in 1960 when, for recreational purposes, the National Park Service noted that “natural running water is now a rarity,” and recommended the preservation of free-flowing streams because “their natural scenic, scientific, esthetic, and recreational values outweigh their value for water development and control purposes.” This recommendation sparked actions at the state level seen in the establishment of the Ozark National Scenic Riverways in Missouri, designation of the Allagash River in Maine as a “wilderness waterway,” and acquisition of land along the banks of Wolf River in Wisconsin for preservation. These “forerunners” to a national scenic river program helped demonstrate the desirability and benefits of government intervention.²⁶

The law declared it to be national policy to preserve the free-flowing condition of rivers for the benefit and enjoyment of current and future generations, provided the rivers met specified criteria. The introduction acknowledged the vital purpose for this act: to complement the established national policy of dam and other construction on rivers. The final version signed into law designated portions of eight western rivers, and their adjacent lands, as wild and scenic rivers.²⁷ The act also listed 27 rivers in 22 states for study and potential addition to the wild and scenic river system, with certain restrictions applying to those rivers for up to eight years from the date of enactment.

Under the act, a river could become part of the system in one of two ways: by an act of Congress or by legislation adopted by the state (or states) through which it flowed. In the latter case, the act required the governor to receive approval from the secretary of the interior as well as a promise from an agency or political subdivision within the state to permanently administer the river without cost to the

²⁶ U.S. Committee on Interior and Insular Affairs, 90th Cong., 2nd sess., H. Rep. No. 1623, “Providing for a National Scenic Rivers System and for Other Purposes,” July 3, 1968, 1–3; and National Park Service, “Water Recreation Needs in the United States, 1960–2000” (Committee Print No. 17, 1960), quoted in Rep. No. 1623, 2.

²⁷ The first rivers designated under the law, in Section 3(a) of PL 90–542, were the Clearwater, Middle Fork, in Idaho; Eleven Point in Missouri; Feather, Middle Fork, in California; Rio Grande in New Mexico; Rogue in Oregon; Saint Croix in Wisconsin and Minnesota, subject to a cooperative agreement specified in the bill between the United States and the Northern States Power Company; Salmon, Middle Fork, in Idaho; and Wolf in Wisconsin.

United States. Regardless of the approach taken, rivers satisfying the criteria for designation had to be “free-flowing” and to “possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values.” Further, a river must be classified, designated, and administered as wild, scenic, or recreational, with specific meaning attached to each term.²⁸

The act’s provisions for administration of the designated areas focused primarily on aesthetic, scenic, historic, archaeological, and scientific features, but permitted other uses that would not significantly interfere with those characteristics of the river that had prompted its designation in the first place. Designation by act of Congress meant that the secretaries of the interior and agriculture, as appropriate, had powers to acquire fee title to land within the designated area, limited to an average total of 100 acres per mile on both sides of the river. The Federal Power Commission could not license any project on the land that would directly affect the designated river, and other federal agencies could not loan or grant money for projects that would detract from the river’s scenic values. The act required states to donate state-owned land, although property owned by a tribal government or a political subdivision of a state was subject to consent of the governing body—a privilege that would be revoked if the secretary found that the tribal government or political subdivision was not “following a plan for management and protection of the land” that “assures its use for purposes consistent” with the act.²⁹

The idea of a national system of protected rivers had broad approval, but the differences in the details of the proposed bills reflected the points of contention. Each bill contained a different list of rivers to protect, although some rivers were included in more than one bill. Other differences included the amount of adjacent land to include, the procedures to gain protection of rivers in the future, and methods for administration of protected rivers. In the months leading up to enactment, the details continued to stall progress. A *Washington Post* editorial on July 23, 1968, called it the “Scenic Rivers Fiasco.” As explained in the *Post*, the Interior Committee “gambled” by utilizing a procedure that bypassed “the dilatory Rules Committee” and prevented the House from amending the bill. Without the ability to amend, the House “rejected the bill out of fear that some possible development on some rivers marked for study might be delayed.” The House members did not object to the bill in general, only to the provision for

²⁸ PL 90-542, Sections 1(b) and 2.

²⁹ Generally, the act assigned administrative powers to the secretary of the interior, except when a river flowed wholly or in part through a national forest, in which case the secretary of agriculture had administrative powers. See Sections 4(a) and 6(a) of PL 90-542.

study of the Susquehanna River and a few others, which would have placed a five-year hold on development.³⁰

In March 1968, the Subcommittee on National Parks and Recreation of the House Committee on Interior and Insular Affairs had held hearings to review the various bills, during which attendees demonstrated their support for the proposed system. A number of witnesses appeared and made statements, including the secretary of the Citizens Committee on Natural Resources, who called support of the legislation logical. Although a difficult task, the secretary believed that reconciling the different proposals offered an opportunity to evaluate and discuss “the many values involved in water resources,” apart from uses only for development’s sake.³¹

The secretary of the St. Croix River Association represented his association and “like-minded” organizations, urging “the inclusion of the St. Croix-Namekagon system.” He expressed their desire to share the river’s beauty “with others before time runs out and suburban developers, factories, and dam builders, scar the landscape and pollute its pure, clean waters.” The secretary pointed out that the stream provided “the best of playgrounds in its very backyard” for the 14th largest metropolitan center in the United States and within minutes to a few hours’ drive for many midwesterners. The Minnesota-Wisconsin Boundary Area Commission submitted a statement also urging inclusion of the St. Croix in this legislation, in part due to a flood control project under study by the U.S. Army Corps of Engineers to build a reservoir in the upper, wild section of the river. If advocates of this project had their way, the commission explained,



Gordon Dam marks the beginning of St. Croix National Scenic Riverway.

³⁰ Editorial, *Washington Post*, “Scenic Rivers Fiasco,” July 23, 1968, in ProQuest Historical Newspapers, <http://ezproxy.lib.indiana.edu/login?url=http://search.proquest.com.ezproxy.lib.indiana.edu/docview/143397442?accountid=11620> (accessed July 19, 2014).

³¹ National Scenic Rivers System: Hearings before the United States House Committee on Interior and Insular Affairs, Subcommittee on National Parks and Recreation, 90th Cong., 2nd sess., on Mar. 7, 8, 18, 19, 1968 (Wash., DC: GPO, 1968), in ProQuest, <http://congressional.proquest.com.ezproxy.lib.indiana.edu/congressional/docview/t29.d30.hrg-1967-ii-a-0025?accountid=11620> (accessed July 19, 2014), 220.

the reservoir would result in “a minimum of 75,000 acres of natural woodland and valley terrain . . . submerged during some seasons, and left as muddy wastes at others.”³²

The secretary of the Little Miami River Interleague Group, League of Women Voters, testified at the hearings, representing over 300 members in southwestern Ohio who “strongly” supported the “scenic rivers concept” for the Little Miami. The secretary pointed to the river’s scenic attributes, rapid growth in the state, conflicting zoning laws in the political subdivisions through which the river flowed, and the “need for closer cooperation and coordination of long range planning between governmental and related agencies.” The League claimed a sense of urgency to save the river because of “a lot of proposals that could change the entire character of the river.” When asked by Representative Sam Steiger (R-AZ) if she thought the federal government should decide the river’s status instead of those with local interests, the secretary noted great pressure in southwestern Ohio for zoning for “heavy industry on the river in the flood plains.” Not satisfied with her response, Steiger rephrased the question, asking if she was saying that “even though apparently a significant segment of the people in your community place the needs of industry above the needs for recreation, you would have them abandon their position on the basis of Federal judgment rather than a local judgment?” She responded that she felt this was “a valid position” to take given the circumstances.³³

Not everyone viewed the proposal favorably. A large contingent either spoke or submitted statements in opposition to designating the Guadalupe River in Texas, which had been named in many of the bills. The written statement of the Kerr County, Texas, Chamber of Commerce noted that it did not oppose the proposed bill’s policy, only the inclusion of the Guadalupe, reasoning that the “upper reaches of the Guadalupe River has been developed by private funds in a manner to preserve the natural beauty of the river and the adjacent hills as we believe the natural beauty of this area is our greatest asset.” Pointing out the numerous camping facilities, state wildlife areas, the state fish hatchery, conservation and recreational dams financed with local bonds, and expensive homes along the river, they argued that if the federal government “were to go in and destroy these facilities, and turn it back into its natural state,” unnecessary government funds would be spent. “We do not want that. We want to continue to develop it with our private funds and make it available to the people of these United States to enjoy.”³⁴

³² *Ibid.*, 338–39 and 347.

³³ *Ibid.*, 368–72. A segment of the main stem of the Little Miami River, exclusive of its tributaries, from a point at the Warren-Clermont County line at Loveland, Ohio, upstream to the sources of Little Miami, including North Fork, was included in the act as one of the 27 additional rivers under study for future inclusion in the Wild and Scenic Rivers System. See Section 5(a)(11) of PL 90-542.

³⁴ *Ibid.*, 282–87. The Guadalupe River was not included in the act, neither as a river included in the system nor as one for study for later inclusion.

Additional opposition came from residents who feared the effects of eminent domain. A widowed farmer's wife from Charles Town, West Virginia, attended the hearings to tell her story. She and her late husband of 23 years had worked his family's farm on the Shenandoah River, one of the rivers proposed for study, which he left to his nephews who were also farmers. First describing the hard work of maintaining a farm and then the moment when she learned "that the Government wants this land for a playground," she stated that she was "almost made to feel that no longer does the right of ownership exist." Another testimony from a resident of Harpers Ferry, West Virginia, and president of the Jefferson County Planning Commission raised similar concerns. She noted her disappointment to learn that, after attending earlier hearings and having the Shenandoah and Cacapon Rivers dropped from one Senate bill, the rivers had been added to another bill, which required her attendance at these hearings to continue the battle. She pointed out the "strong, conservative feeling in our community" and that they believed "very firmly in the preservation of private property" and "in working out the problems . . . at a local level." Speaking on behalf of Harpers Ferry residents, she concluded by stating, "we feel that what is happening here in this maze of bills . . . is a form of luxury legislation," and referring to the cost of the Vietnam conflict, noted that this luxury is one "our country can ill afford at this time."³⁵

Apart from these hearings, a number of federal agencies had reviewed the proposed bills, at the request of Chairman Aspinall, and submitted comments and any desired amendments. The Department of Health, Education, and Welfare endorsed the establishment of a national scenic river system as it would "enhance the Nation's health and welfare through the conservation of resources and the provision of recreational areas in various parts of the country." Likewise, the Department of Agriculture and Department of the Interior supported the proposed legislation, with some clarifying amendments. The Bureau of the Budget concurred and recommended enactment in accord with the program of the President.³⁶

The Committee on Interior and Insular Affairs submitted its report to the House for a national scenic rivers system after working through the differences in the bills and generally agreeing on the provisions. Representative Steiger, who had participated in

³⁵ *Ibid.*, 326–27 and 383–84. The Shenandoah and Cacapon Rivers were not included in the act, neither as rivers included in the system nor as rivers for later inclusion.

³⁶ Wilbur J. Cohen, Under Secretary, Department of Health, Education, and Welfare, to Wayne N. Aspinall, Chairman, Committee on Interior and Insular Affairs, July 29, 1967, in H. Rep. No. 1623, 28–29; Wilfred H. Rommel, Assistant Director for Legislative Reference, Bureau of the Budget, to Henry M. Jackson, Chairman, Committee on Interior and Insular Affairs, Apr. 13, 1967, in S. Rep. No. 491, 90th Cong., 1st sess., 17; and James M. Frey, Acting Assistant Director for Legislative Reference, Bureau of the Budget, Memorandum to the President, Oct. 1, 1968, WHCF Reports on Enrolled Legislation, PL 90-515 to PL 90-543, 9/26/68 to 10/2/68, box 71, LBJL.

the hearings in March 1968, and was generally known for speaking his mind, crafted his opposing view of a national river system for the committee's report. He focused on the phrase in the proposed language that would allow a river, "upon restoration" to a free-flowing condition, to be included in the system of protected rivers, which he perceived to mean that any and all rivers could conceivably be designated for permanent protection from development. As a representative from a western state, he believed this provision could prove detrimental to future water needs and development. Further, he questioned the alleged urgency to protect the nation's rivers, the "lockup" of rivers during a period of study for inclusion in the system, and the amount of federal funds authorized for acquisition of lands. In summarizing his opposition, Steiger claimed that "under the guise of protecting scenic values, this legislation will stifle progress, inhibit economic development and incur a staggering expenditure, an expenditure that has been impossible to estimate."³⁷

Steiger's objections to the bill received some support in the comments submitted by the U.S. Department of the Army. The Army favored the bill, provided that additional comprehensive studies were conducted. The Army cautioned that if Congress were to "reach a wise decision" with regard to which rivers to set aside, "it must have a full report and definite plan" for each river "developed by joint and coordinated action by all agencies, both Federal and State, concerned with the development, utilization, and conservation" of the river. This approach, the Army reminded Congress, would comply with the principles of the Water Resources Planning Act of 1965 (PL 89-80), which had declared it to be "the policy of the Congress to encourage conservation, development, and utilization of water and related land resources" on a coordinated basis, with ongoing assessment of the adequacy of the water supply necessary for the nation.³⁸ In an effort to reconcile the proposed law with the existing law, the Army recommended that the report and plan for each river present both "the advantages to the Nation of preserving the stream in its natural state" and "economic values that would result from its development" before Congress made any decision to include a river in the system. The Army suggested an amendment to require submission to Congress of reports and plans for each proposed river before enactment of legislation.³⁹

One of the stated basic principles of the proposed scenic river system required coordination among the federal government and states. As described by Gary Warren Hart, as special assistant to the solicitor, Department of the Interior, with regard to passage

³⁷ H. Rep. No. 1623, 55–57.

³⁸ 42 U.S.C. 1962.

³⁹ David E. McGiffert, Acting Secretary of the Army, to Hon. Wayne N. Aspinall, Chairman, Committee on Interior and Insular Affairs, House of Representatives, Aug. 11, 1967, in H. Rep. No. 1623, 34–35.

of the Water Resources Planning Act of 1965 (PL 89-80), a new trend of “creative federalism” aimed to incorporate regional planning and development in order to recognize geographical borders of natural resources rather than political ones. Water resource planning for a river basin made more sense than limiting planning to a particular state. Hart called the approach a “political-governmental innovation—a response to problems peculiar to this era,” but he reminded that the approach required new regional agencies with “governmental authority and responsibility, at least for planning purposes.”⁴⁰ As the committee report suggested, coordination would require more than discussion among the parties and planning with each interest in mind. For the Army’s planners, coordination meant detailed economic review for the river basin, with final approval resting with Congress. The Tennessee Valley Authority pointed out that its existing regional development role should be recognized, and that it should participate in any designation and management of scenic rivers in the Tennessee Basin. The Federal Power Commission submitted a detailed response to the proposed bills, but its main concerns dealt with wanting its licensing jurisdiction defined more clearly to align with the Federal Power Act and wanting the moratorium on licensing shortened from five years to two.⁴¹

The creative design of the Wild and Scenic Rivers Act demonstrated a departure from New Deal federal programs directed at river concerns in two ways. First, the act established a new concern with the aesthetics of rivers, a significant turn from the traditional concerns with navigability, flood control, and irrigation. Under Johnson, the federal government sought to set standards of value for the health, beauty, and preservation of rivers. Second, it would set up programs and provide some assistance, but it would also no longer take full responsibility for conserving natural resources. A general agreement existed among federal agencies that the federal government should provide assistance in the form of appropriations and incentives, but that local interests rightfully held responsibility for ensuring preservation and administration of rivers flowing through their jurisdictions. The act, adopted October 2, 1968, outlined procedures for meeting this objective. Johnson’s “creative federalism” again achieved acceptance on the floor of Congress.⁴²

⁴⁰ Gary Warren Hart, “Creative Federalism: Recent Trends in Regional Water Resources Planning and Development,” *University of Colorado Law Review* 39 (1966–1967): 29–47, 31.

⁴¹ Aubrey J. Wagner, Chairman, Tennessee Valley Authority, to Hon. Wayne N. Aspinall, Chairman, Committee on Interior and Insular Affairs, House of Representatives, June 9, 1967, in H. Rep. No. 1623, 27–28; and Lee C. White, Chairman, Federal Power Commission, to Hon. Wayne N. Aspinall, Chairman, Committee on Interior and Insular Affairs, House of Representatives, Mar. 7, 1968, in H. Rep. No. 1623, 46–47.

⁴² Rebecca Lave, Martin Doyle, and Morgan Robertson, “Privatizing Stream Restoration in the US,” *Social Studies of Science* 40, no. 5 (Oct. 2010): 679; Hart, “Creative Federalism,” 29–47; and David B. Walker, “The Nature and Systemic Impact of ‘Creative Federalism,’” in *The Great Society and Its Legacy: Twenty Years of U.S. Social Policy*, eds. Marshall Kaplan and Peggy Cuciti (Durham, NC: Duke University Press, 1986), 197–208.

The final version of the act represented an intermediate approach that intended to preserve the wild, scenic, or recreational qualities of specific sections of rivers while leaving the remaining sections available for development. One stated goal of the act was regional planning and development relying on geographical boundaries, yet the act drew lines to designate only portions of rivers for protection. Despite the expectations of creative federalism, the methods for protecting rivers did not progress in a straight line, and political interests continued to carry weight. Western states objected to loss of unappropriated water sources, while eastern states focused on land use and land taxes. Pragmatism, including negotiation over which segments of rivers would become part of the system and which segments would continue to be available for development, allowed the Wild and Scenic Rivers Act to gain congressional approval.

Conclusion

During the Johnson administration, the need to place some checks on a society rapidly advancing in terms of population, science, technology, and consumption prompted a beautification campaign and passage of protective legislation for scenic waterways, among other initiatives. Legislation in part aimed to untangle the federal government from the responsibilities for natural resources protection. Johnson's push for a "new conservation," stressing appreciation of the value of natural resources for the human spirit, and calling for partnerships and local participation in resource management appealed to the American people's sense of individualism. That long-standing American belief in personal autonomy, related to the rights of private property and personal pursuit of prosperity, valued the right to use natural resources for one's livelihood and social betterment. By the mid-20th century, however, such personal rights required a balancing of environmental protection to allow continued development of natural resources. By pointing out growing threats to the beauty of the nation, while emphasizing human benefits and local and individual choice in remedying those threats, Johnson's message spoke to the concerns of many Americans.

Johnson's negotiations to achieve balance between natural resource conservation and individualism constituted a transition to the new priorities of environmentalism in the 1970s. Yet, balance remained an elusive goal. As an energy shortage, deindustrialization, growing sentiments of distrust of government, and social and cultural revolutions captured the attention of Americans in the 1970s, the degrading natural environment joined the list of critical issues prompting outcries for change. Grassroots groups organized to confront perceived wrongs by industry and government that affected their communities and lives, and in the process, compelled millions of Americans to recognize

the implications of, and to support regulation of, human actions. Federal government officials struggled to respond to these multifaceted issues facing the nation.⁴³

Although threats to the natural environment had caught the nation's attention and influenced national policy, postwar Americans still expected and desired continued development and growth. They also continued to trust that expert planning and management would arrest the degeneration of the natural environment. To a large extent, environmentalists attained their goals of heightened public understanding and protective federal laws, but their goals to effect a changed vision of economics and public welfare continued to encounter the widespread insistence on personal freedom and rights grounded in American individualism.

Photo Credits: Lady Bird Johnson planting, President Johnson signing Clean Air Act, and Highway Beautification Act commemorative pen, brochure, from the Lyndon B. Johnson Presidential Library and Museum; St. Croix National Scenic Riverway from National Park Service, Multimedia Collection.

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⁴³ See, for example, Paul C. Milazzo, *Unlikely Environmentalists: Congress and Clean Water, 1945–1972* (Lawrence: University of Kansas Press, 2006); Wellock, *Preserving the Nation*, 135–85; and John C. Whitaker, *Striking a Balance: Environmental and Natural Resources Policy in the Nixon-Ford Years* (Wash., DC: American Enterprise Institute, and Stanford, CA: Hoover Institution on War, Revolution and Peace, 1976).